
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH - CENTRAL DIVISION

WAYNE COUNTY, et al.,

Plaintiffs,

vs.

CORNELL M. CHRISTENSEN, et al.,

Defendants,

SOUTHERN UTAH WILDERNESS
ALLIANCE,

Intervenor Defendant.

**MEMORANDUM DECISION AND
ORDER**

Case No. 2:07-CV-0138

Judge Dee Benson

Before the Court are two motions to dismiss, one filed by the Defendants and the other filed by the Intervenor Defendant. Both motions seek to dismiss Plaintiffs' first through eighth causes of action on the grounds that Plaintiffs lack standing to pursue their claims and that the claims are not ripe for judicial review. Having considered the parties' written and oral arguments and the relevant law, the Court now issues the following order GRANTING both motions and DISMISSING Plaintiffs' first through eighth causes of action with prejudice.

In support of their first through eighth causes of action, Plaintiffs' allege that the Defendants have not complied with certain legal requirements in ongoing administrative processes. These allegations are insufficient to satisfy Plaintiffs' burden of establishing that they have standing to pursue their claims and that the claims are ripe for judicial review. *See Utah v. Babbitt*, 137 F.3d 1193, 1201-02 (10th Cir. 1998); *Park Lake Res. Ltd. Liab. Corp. v. United States Dep't of Agric.*, 197 F.3d 448, 450 (10th Cir. 1999) (holding that "[a] vital aspect of the requirement that issues be fit for review is that the suit challenge final agency action." (internal

quotations omitted))). In addition to these authorities, the Court adopts the reasoning set forth in the memoranda of law filed by the Defendants and the Intervenor Defendant as the legal grounds on which it bases this Order.

IT IS SO ORDERED.

DATED this 9th day of July, 2007.

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the 'e'. The last name "Benson" is written in a more standard cursive script.

Dee Benson
United States District Judge